

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

JOHNNIE CEPHUS FENN, JR.,)

Plaintiff,)

v.)

MADISON COUNTY JAIL,)

Defendant.)

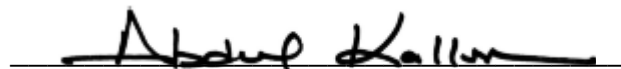
Civil Action Number

5:17-cv-01210-AKK-JEO

ORDER

On August 8, 2017, the magistrate judge entered a Report and Recommendation regarding the Plaintiff's claims. Doc. 6. Having reviewed the pleadings, the briefs, and the magistrate's report, the court hereby **ADOPTS** the report of the magistrate judge. Accordingly, all claims in this action, except the excessive force claims and the state law assault and battery, negligence and wantonness claims against Officers Christian and Childress in their individual capacities, are **DISMISSED WITHOUT PREJUDICE**, pursuant to 28 U.S.C. § 1915A(b)(1), for failing to state a claim upon which relief can be granted. The remaining claims are **REFERRED** to the magistrate judge for further proceedings.

DONE the 8th day of September, 2017.



ABDUL K. KALLON

UNITED STATES DISTRICT JUDGE